

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

QUALITY SAUSAGE COMPANY, LLC,  
HM INTERNATIONAL LLC, GREGORY  
R. GEIB, AND KATHRYN M. GEIB,

*Plaintiffs,*

V.

TWIN CITY FIRE INSURANCE  
COMPANY,

*Defendant.*

CIVIL ACTION NO. 4:17-cv-111

## FINAL JUDGMENT

HM International, LLC (“HMI”) asserted the following claims and causes of action against Twin City Fire Insurance Company (“Twin City”): (1) breach of contract/breach of the duty to defend; (2) breach of contract/breach of the duty to indemnify; (3) violations of Chapter 541 of the Texas Insurance Code; (4) breach of the duty of good faith and fair dealing; (5) attorneys’ fees; and (6) punitive damages. *See* Doc. No. 1. Previously, the Court granted summary judgment in favor of Twin City on claim number 2, breach of contract/breach of the duty to indemnify. *See* Doc. No. 72. The Court granted summary judgment to HMI on claim number 1, breach of contract/breach of the duty to defend, but left un-adjudicated is HMI’s claim for damages associated with that breach. *See* Doc. No. 110. The other claims (items 3, 4, 5, and 6) are un-adjudicated and remain pending.

HMI has dismissed, with prejudice, all un-adjudicated and pending claims. Specifically, HMI dismissed with prejudice the following: (1) breach of contract/breach of the duty to defend; (2) violations of Chapter 541 of the Texas Insurance Code; (3) breach of the duty of good faith and fair dealing; (4) all claims for attorneys' fees with the exception of its claim for attorneys' fees

under CPRC § 38.001 if the court of appeals reverses the Court's finding with respect to HMI's claim for breach of contract/breach of the duty to indemnify; and (5) punitive damages.

By virtue of HMI's voluntary dismissal, there are no remaining un-adjudicated claims. As such, the Court enters this Final Take Nothing Judgment against HMI and in favor of Twin City. This is a Final and Appealable Judgment.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Judge Presiding